

CS FOR SENATE BILL NO. 119(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/24/03

Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the Alaska Public Offices Commission to issue advisory opinions;**
2 **amending campaign financial disclosure requirements and the limits on lobbyists'**
3 **campaign contributions to candidates; removing municipal elections and municipal**
4 **officials from the campaign finance and public official financial disclosure laws;**
5 **amending campaign contribution limits; amending the time limit on contributions after**
6 **primary elections; amending the complaint procedures of the Alaska Public Offices**
7 **Commission; amending the definition of 'political party' for state election campaigns;**
8 **relating to the crime of campaign misconduct; providing for increased use of electronic**
9 **filing for reports to the Alaska Public Offices Commission; amending the definitions of**
10 **'administrative action' and 'lobbyist' in the regulation of lobbying laws; amending the**
11 **requirements for the reporting of financial interests by public officials; repealing**
12 **restrictions on solicitation and acceptance of contributions during legislative sessions**

1 and in the capital city; making conforming amendments; and providing for an effective
2 date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 15.13.010(c) is amended to read:

5 (c) This chapter does not prohibit a municipality from regulating by ordinance
6 election campaign contributions and expenditures in municipal elections [, OR FROM
7 REGULATING THOSE CAMPAIGN CONTRIBUTIONS AND EXPENDITURES
8 MORE STRICTLY THAN PROVIDED IN THIS CHAPTER].

9 * **Sec. 2.** AS 15.13.030 is amended to read:

10 **Sec. 15.13.030. Duties of the commission.** The commission shall

11 (1) develop and provide all forms for the reports and statements
12 required to be made under this chapter, AS 24.45, and AS 39.50;

13 (2) prepare and publish a manual setting out uniform methods of
14 bookkeeping and reporting for use by persons required to make reports and statements
15 under this chapter and otherwise assist candidates, groups, and individuals in
16 complying with the requirements of this chapter;

17 (3) receive and hold open for public inspection reports and statements
18 required to be made under this chapter and, upon request, furnish copies at cost to
19 interested persons;

20 (4) compile and maintain a current list of all filed reports and
21 statements;

22 (5) prepare a summary of each report filed under AS 15.13.110 and
23 make copies of this summary available to interested persons at their actual cost;

24 (6) notify, by registered or certified mail, all persons who are
25 delinquent in filing reports and statements required to be made under this chapter;

26 (7) examine, investigate, and compare all reports, statements, and
27 actions required by this chapter, AS 24.45, and AS 39.50;

28 (8) prepare and publish a biennial report concerning the activities of
29 the commission, the effectiveness of this chapter, its enforcement by the attorney
30 general's office, and recommendations and proposals for change; the commission shall

1 notify the legislature that the report is available;

2 (9) adopt regulations necessary to implement and clarify the provisions
3 of AS 24.45, AS 39.50, and this chapter, subject to the provisions of AS 44.62
4 (Administrative Procedure Act); and

5 (10) consider a written request for an advisory opinion concerning
6 the application of this chapter, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50.

7 * Sec. 3. AS 15.13.040(a) is amended to read:

8 (a) Except as provided in (g) and (l) of this section, each candidate shall make
9 a full report, upon a form prescribed by the commission,

10 (1) listing

11 (A) the date and amount of all expenditures made by the
12 candidate;

13 (B) [,] the total amount of all contributions, including all funds
14 contributed by the candidate;

15 (C) [, AND FOR ALL CONTRIBUTIONS IN EXCESS OF
16 \$100 IN THE AGGREGATE A YEAR,] the name, address, [PRINCIPAL
17 OCCUPATION, AND EMPLOYER OF THE CONTRIBUTOR AND THE]
18 date, and amount contributed by each contributor; and

19 (D) for contributions in excess of \$250 in the aggregate
20 during a calendar year, the principal occupation and employer of the
21 contributor; and

22 (2) [. THE REPORT SHALL BE] filed in accordance with
23 AS 15.13.110 and [SHALL BE] certified correct by the candidate or campaign
24 treasurer.

25 * Sec. 4. AS 15.13.040(b) is amended to read:

26 (b) Except as provided in (l) of this section, each [EACH] group shall make
27 a full report upon a form prescribed by the commission, listing

28 (1) the name and address of each officer and director;

29 (2) the aggregate amount of all contributions made to it;

30 (3) [AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN
31 THE AGGREGATE A YEAR,] the name, address, [PRINCIPAL OCCUPATION,

1 AND EMPLOYER OF THE CONTRIBUTOR, AND THE] date, and amount
 2 contributed by each contributor **and, for contributions in excess of \$250 in the**
 3 **aggregate during a calendar year, the principal occupation and employer of the**
 4 **contributor** [; FOR PURPOSES OF THIS PARAGRAPH, "CONTRIBUTOR"
 5 MEANS THE TRUE SOURCE OF THE FUNDS, PROPERTY, OR SERVICES
 6 BEING CONTRIBUTED]; and

7 **(4)** [(3)] the date and amount of all contributions made by it and all
 8 expenditures made, incurred, or authorized by it.

9 * **Sec. 5.** AS 15.13.040(g) is amended to read:

10 (g) The provisions of (a) **and (l)** of this section do not apply if a candidate

11 (1) indicates, on a form prescribed by the commission, an intent not to
 12 raise and not to expend more than **\$5,000** [\$2,500] in seeking election to office,
 13 including both the primary and general elections;

14 (2) accepts contributions totaling not more than **\$5,000** [\$2,500] in
 15 seeking election to office, including both the primary and general elections; and

16 (3) makes expenditures totaling not more than **\$5,000** [\$2,500] in
 17 seeking election to office, including both the primary and general elections.

18 * **Sec. 6.** AS 15.13.040(h) is amended to read:

19 (h) The provisions of (d) of this section do not apply to one or more
 20 expenditures made by an individual acting independently of any group or nongroup
 21 entity and independently of any other individual if the expenditures

22 (1) cumulatively do not exceed **\$500** [\$250] during a calendar year;
 23 and

24 (2) are made only for billboards, signs, or printed material concerning
 25 a ballot proposition as that term is defined by AS 15.13.065(c).

26 * **Sec. 7.** AS 15.13.040(j) is amended to read:

27 (j) **Except as provided in (l) of this section, each** [EACH] nongroup entity
 28 shall make a full report in accordance with AS 15.13.110 upon a form prescribed by
 29 the commission and certified by the nongroup entity's treasurer, listing

30 (1) the name and address of each officer and director of the nongroup
 31 entity;

(2) the aggregate amount of all contributions made to the nongroup entity for the purpose of influencing the outcome of an election;

(3) [AND,] for all [SUCH] contributions **described in (2) of this subsection** [IN EXCESS OF \$100 IN THE AGGREGATE A YEAR], the name, address, **and** principal occupation [, AND EMPLOYER] of the contributor, and the date and amount contributed by each contributor **and, for all contributions described in (2) of this subsection in excess of \$250 in the aggregate during a calendar year, the employer of the contributor** [; FOR PURPOSES OF THIS PARAGRAPH, "CONTRIBUTOR" MEANS THE TRUE SOURCE OF THE FUNDS, PROPERTY, OR SERVICES BEING CONTRIBUTED]; and

(4) [(3)] the date and amount of all contributions made by the nongroup entity, and, except as provided for certain independent expenditures in AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup entity, for the purpose of influencing the outcome of an election; a nongroup entity shall report contributions made to a different nongroup entity for the purpose of influencing the outcome of an election and expenditures made on behalf of a different nongroup entity for the purpose of influencing the outcome of an election as soon as the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election reach \$500 in a year and for all subsequent contributions and expenditures to that nongroup entity in a year whenever the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election that have not been reported under this paragraph reach \$500.

* **Sec. 8.** AS 15.13.040 is amended by adding new subsections to read:

(l) Notwithstanding (a), (b), and (j) of this section, for any fund raising activity in which contributions are in amounts or values that do not exceed \$50 a person, the candidate, group, or nongroup entity shall report contributions and expenditures and supplying of services under this subsection as follows:

(1) a report under this subsection must

(A) describe the fund raising activity;

(B) include the number of persons making contributions and

1 the total proceeds from the activity;

2 (C) report all contributions made for the fund raising activity
3 that do not exceed \$50 a person in amount or value; if a contribution for the
4 fund raising activity exceeds \$50, the contribution shall be reported under (a),
5 (b), and (j) of this section;

6 (2) for purposes of this subsection,

7 (A) "contribution" means a cash donation, a purchase such as
8 the purchase of a ticket, the purchase of goods or services offered for sale at a
9 fund raising activity, or a donation of goods or services for the fund raising
10 activity;

11 (B) "fund raising activity" means an activity, event, or sale of
12 goods undertaken by a candidate, group, or nongroup entity in which
13 contributions are \$50 a person or less in amount or value.

14 (m) Upon request of the commission, the information required under this
15 chapter shall be submitted electronically.

16 (n) For purposes of (b) and (j) of this section, "contributor" means the true
17 source of the funds, property, or services being contributed.

18 * **Sec. 9.** AS 15.13.060(c) is amended to read:

19 (c) Each candidate for state office shall file the name and address of the
20 campaign treasurer with the commission, or submit, in writing, the name and address
21 of the campaign treasurer to the director for filing with the commission, no later than
22 15 days after the date of filing the declaration of candidacy or the nominating petition.
23 [EACH CANDIDATE FOR MUNICIPAL OFFICE SHALL FILE THE NAME AND
24 ADDRESS OF THE CAMPAIGN TREASURER WITH THE COMMISSION NO
25 LATER THAN SEVEN DAYS AFTER THE DATE OF FILING THE
26 DECLARATION OF CANDIDACY OR THE NOMINATING PETITION.] If the
27 candidate does not designate a campaign treasurer, the candidate is the campaign
28 treasurer.

29 * **Sec. 10.** AS 15.13.070(b) is amended to read:

30 (b) An individual may contribute not more than

31 (1) **\$1,000** [\$500] per year to a nongroup entity for the purpose of

1 influencing the nomination or election of a candidate, to a candidate, to an individual
 2 who conducts a write-in campaign as a candidate, or to a group that is not a political
 3 party;

4 (2) **\$10,000** [\$5,000] per year to a political party for the purpose of
 5 influencing the nomination or election of a candidate or candidates.

6 * **Sec. 11.** AS 15.13.070(c) is amended to read:

7 (c) A group that is not a political party may contribute not more than [\$1,000
 8 PER YEAR]

9 (1) **\$5,000 per year** to a candidate, or to an individual who conducts a
 10 write-in campaign as a candidate; [OR]

11 (2) **\$5,000 per year** to another group **or** [,] a nongroup entity; **or**

12 **(3) \$10,000 per year** [,] or to a political party.

13 * **Sec. 12.** AS 15.13.070(f) is amended to read:

14 (f) A nongroup entity may contribute not more than **\$1,000** [\$500] a year to
 15 **another** [A] nongroup entity for the purpose of influencing the nomination or election
 16 of a candidate, to a candidate, to an individual who conducts a write-in campaign as a
 17 candidate, to a group, or to a political party.

18 * **Sec. 13.** AS 15.13.072(a) is amended to read:

19 (a) A candidate or an individual who has filed with the commission the
 20 document necessary to permit that individual to incur election-related expenses under
 21 AS 15.13.100 may not solicit or accept a contribution from

22 (1) a person not authorized by law to make a contribution;

23 (2) an individual who is not a resident of the state at the time the
 24 contribution is made, except as provided in (e) of this section;

25 (3) a group organized under the laws of another state, resident in
 26 another state, or whose participants are not residents of this state at the time the
 27 contribution is made; or

28 (4) a person registered as a lobbyist if the contribution violates
 29 [AS 15.13.074(g) OR] AS 24.45.121(a)(8).

30 * **Sec. 14.** AS 15.13.072(e) is amended to read:

31 (e) A candidate or an individual who has filed with the commission the

document necessary to permit that individual to incur election-related expenses under AS 15.13.100 may solicit or accept contributions from an individual who is not a resident of the state at the time the contribution is made if the amounts contributed by individuals who are not residents do not exceed

(1) \$20,000 a calendar year, if the candidate or individual is seeking the office of governor or lieutenant governor;

(2) \$5,000 a calendar year, if the candidate or individual is seeking the office of state senator;

(3) \$3,000 a calendar year, if the candidate or individual is seeking the office of state representative [OR MUNICIPAL] or other office.

* **Sec. 15.** AS 15.13.074(c) is amended to read:

(c) A person or group may not make a contribution

(1) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 when the office is to be filled at a general election before the date that is 18 months before the general election;

(2) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 for an office that is to be filled at a special election [OR MUNICIPAL ELECTION BEFORE THE DATE THAT IS 18 MONTHS BEFORE THE DATE OF THE REGULAR MUNICIPAL ELECTION OR THAT IS] before the date of the proclamation of the special election at which the candidate or individual seeks election to public office; or

(3) to any candidate later than the 45th day

(A) [AFTER THE DATE OF A PRIMARY ELECTION IF
THE CANDIDATE

(i) HAS BEEN NOMINATED AT THE PRIMARY
ELECTION OR IS RUNNING AS A WRITE-IN CANDIDATE; AND

(ii) IS NOT OPPOSED AT THE GENERAL
ELECTION;

(B)] after the date of the primary election if the candidate was

1 not nominated at the primary election; or

2 **(B)** [(C)] after the date of the general election [, OR AFTER
3 THE DATE OF A MUNICIPAL OR MUNICIPAL RUNOFF ELECTION, IF
4 THE CANDIDATE WAS OPPOSED AT THE GENERAL, MUNICIPAL,
5 OR MUNICIPAL RUNOFF ELECTION].

6 * **Sec. 16.** AS 15.13.074(g) is amended to read:

7 (g) An individual required to register as a lobbyist under AS 24.45 [MAY
8 NOT MAKE A CONTRIBUTION TO A CANDIDATE FOR THE LEGISLATURE
9 AT ANY TIME THE INDIVIDUAL IS SUBJECT TO THE REGISTRATION
10 REQUIREMENT UNDER AS 24.45 AND FOR ONE YEAR AFTER THE DATE
11 OF THE INDIVIDUAL'S INITIAL REGISTRATION OR ITS RENEWAL.
12 HOWEVER, THE INDIVIDUAL MAY MAKE A CONTRIBUTION UNDER THIS
13 SECTION TO A CANDIDATE FOR THE LEGISLATURE IN A DISTRICT IN
14 WHICH THE INDIVIDUAL IS ELIGIBLE TO VOTE OR WILL BE ELIGIBLE TO
15 VOTE ON THE DATE OF THE ELECTION. AN INDIVIDUAL WHO IS
16 SUBJECT TO THE RESTRICTIONS OF THIS SUBSECTION] shall report to the
17 commission, on a form provided by the commission, each contribution made while
18 required to register as a lobbyist under AS 24.45. **Upon request of the commission,**
19 **the information required under this subsection shall be submitted electronically.**

20 This subsection does not apply to a representational lobbyist as defined in regulations
21 of the commission.

22 * **Sec. 17.** AS 15.13.078(b) is amended to read:

23 (b) The provisions of this chapter do not prohibit the individual who is a
24 candidate from lending any amount to the campaign of the candidate. Loans made by
25 the candidate shall be reported as contributions in accordance with AS 15.13.040 and
26 15.13.110. However, the candidate may not

27 [(1)] recover, under this section and AS 15.13.116(a)(4), the amount of
28 a loan made by the candidate to the candidate's own campaign that exceeds

29 **(1)** [(A)] \$25,000, if the candidate ran for governor or lieutenant
30 governor;

31 **(2)** [(B)] \$10,000, if the candidate ran for

1 **(A)** [(i)] the legislature; or

2 **(B)** [(ii)] delegate to a constitutional convention;

3 **(3)** [(C)] \$10,000, if the candidate was a judge seeking retention [;

4 (D) \$5,000, IF THE CANDIDATE RAN IN A MUNICIPAL

5 ELECTION; OR

6 (2) REPAY A LOAN THAT THE CANDIDATE HAS MADE TO
7 THE CANDIDATE'S OWN CAMPAIGN UNLESS, WITHIN FIVE DAYS OF
8 MAKING THE LOAN, THE CANDIDATE NOTIFIES THE COMMISSION, ON A
9 FORM PROVIDED BY THE COMMISSION, OF THE CANDIDATE'S
10 INTENTION TO REPAY THE LOAN UNDER AS 15.13.116(a)(4)].

11 * **Sec. 18.** AS 15.13.110(a) is amended to read:

12 (a) Each candidate, group, and nongroup entity shall make a full report in
13 accordance with AS 15.13.040 for the period ending three days before the due date of
14 the report and beginning on the last day covered by the most recent previous report. If
15 the report is a first report, it **must** [SHALL] cover the period from the beginning of the
16 campaign to the date three days before the due date of the report. If the report is a
17 report due February 15, it **must** [SHALL] cover the period beginning on the last day
18 covered by the most recent previous report or on the day that the campaign started,
19 whichever is later, and ending on **February 1 of that** [DECEMBER 31 OF THE
20 PRIOR] year. The report shall be filed

21 (1) 30 days before the election; however, this report is not required if
22 the deadline for filing a nominating petition or declaration of candidacy is within 30
23 days of the election;

24 (2) one week before the election;

25 (3) **105** [10] days after **a special** [THE] election; and

26 (4) February 15 for expenditures made and contributions received that
27 were not reported **previously** [DURING THE PREVIOUS YEAR], including, if
28 applicable, all amounts expended from a public office expense term account
29 established under AS 15.13.116(a)(8) [AND ALL AMOUNTS EXPENDED FROM A
30 MUNICIPAL OFFICE ACCOUNT UNDER AS 15.13.116(a)(9),] or when
31 expenditures were not made or contributions were not received during the previous

1 year.

2 * **Sec. 19.** AS 15.13.116(a) is amended to read:

3 (a) A candidate who, after the date of the general or [,] special [,
4 MUNICIPAL, OR MUNICIPAL RUNOFF] election or after the date the candidate
5 withdraws as a candidate, whichever comes first, holds unused campaign contributions
6 shall distribute the amount held on February 1 for a general election or within 90
7 days after a special election. The distribution may only be made to

8 (1) pay bills incurred for expenditures reasonably related to the
9 campaign and the winding up of the affairs of the campaign, including a victory or
10 thank you party, thank you advertisements, and thank you gifts to campaign
11 employees and volunteers, and to pay expenditures associated with post-election fund
12 raising that may be needed to raise funds to pay off campaign debts;

13 (2) make donations, without condition, to

14 (A) a political party;

15 (B) the state's general fund;

16 (C) a municipality of the state; or

17 (D) the federal government;

18 (3) make donations, without condition, to organizations qualified as
19 charitable organizations under 26 U.S.C. 501(c)(3) if [, PROVIDED] the organization
20 is not controlled by the candidate or a member of the candidate's immediate family;

21 (4) repay loans from the candidate to the candidate's own campaign
22 under AS 15.13.078(b);

23 (5) repay contributions to contributors, but only if repayment of the
24 contribution is made pro rata in approximate proportion to the contributions made
25 using one of the following, as the candidate determines:

26 (A) to all contributors;

27 (B) to contributors who have contributed most recently; or

28 (C) to contributors who have made larger contributions;

29 (6) establish a fund for, and from that fund to pay, attorney fees or
30 costs incurred in the prosecution or defense of an administrative or civil judicial action
31 that directly concerns a challenge to the victory or defeat of the candidate in the

1 election;

2 (7) transfer all or a portion of the unused campaign contributions to an
3 account for a future election campaign; a transfer under this paragraph is limited to

4 (A) \$50,000, if the transfer is made by a candidate for governor
5 or lieutenant governor;

6 (B) \$10,000, if the transfer is made by a candidate for the state
7 senate;

8 (C) \$5,000, if the transfer is made by a candidate for the state
9 house of representatives; and

10 (D) \$5,000, if the transfer is made by a candidate for an office
11 not described in (A) - (C) of this paragraph; **and**

12 (8) transfer all or a portion of the unused campaign contributions to a
13 public office expense term account or to a public office expense term account reserve
14 in accordance with (d) of this section; a transfer under this paragraph is subject to the
15 following:

16 (A) the authority to transfer is limited to candidates who are
17 elected to the state legislature;

18 (B) the public office expense term account established under
19 this paragraph may be used only for expenses associated with the candidate's
20 serving as a member of the legislature;

21 (C) all amounts expended from the public office expense term
22 account shall be annually accounted for under AS 15.13.110(a)(4); and

23 (D) a transfer under this paragraph is limited to \$5,000
24 multiplied by the number of years in the term to which the candidate is elected
25 plus any accumulated interest [; AND

26 (9) TRANSFER ALL OR A PORTION OF THE UNUSED
27 CAMPAIGN CONTRIBUTIONS TO A MUNICIPAL OFFICE ACCOUNT; A
28 TRANSFER UNDER THIS PARAGRAPH IS SUBJECT TO THE FOLLOWING:

29 (A) THE AUTHORITY TO TRANSFER IS LIMITED TO
30 CANDIDATES WHO ARE ELECTED TO MUNICIPAL OFFICE,
31 INCLUDING A MUNICIPAL SCHOOL BOARD;

(B) THE MUNICIPAL OFFICE ACCOUNT ESTABLISHED UNDER THIS PARAGRAPH MAY BE USED ONLY FOR EXPENSES ASSOCIATED WITH THE CANDIDATE'S SERVING AS MAYOR OR AS A MEMBER OF THE ASSEMBLY, CITY COUNCIL, OR SCHOOL BOARD;

(C) ALL AMOUNTS EXPENDED FROM THE MUNICIPAL OFFICE ACCOUNT SHALL BE ANNUALLY ACCOUNTED FOR UNDER AS 15.13.110(a)(4); AND

(D) A TRANSFER UNDER THIS PARAGRAPH IS LIMITED TO \$5,000].

* **Sec. 20.** AS 15.13.116(b) is amended to read:

(b) After a general or [,] special [, MUNICIPAL, OR MUNICIPAL RUNOFF] election, a candidate may retain the ownership of one computer and one printer and of personal property, except money, that was acquired by and for use in the campaign. The current fair market value of the property retained, exclusive of the computer and printer, may not exceed \$5,000. All other property shall be disposed of, or sold and the sale proceeds disposed of, in accordance with (a) or (c) of this section. Notwithstanding any other provision of this chapter,

(1) a candidate may (A) retain a bulk mailing permit that was paid for with campaign funds, and (B) use personal funds, campaign funds, or unused campaign contributions transferred to a public office expense term account under (a)(8) of this section to pay the continuing charges for the permit after the election; money used to continue the life of the permit is not considered to be a contribution under this chapter; in addition to any other use permitted under this chapter, during the candidate's term of office, the candidate may use the bulk mailing permit for mailings associated with service in the office to which the candidate was elected; during the candidate's term of office, if the candidate files a declaration of candidacy or the document necessary to permit the candidate to incur election-related expenses under AS 15.13.100 for the same or a different elective office, the candidate may also use the bulk mailing permit in that election campaign;

(2) a candidate may retain campaign photographs and use the

1 photographs for any purpose associated with service in the office to which the
2 candidate was elected;

3 (3) a candidate may retain seasonal greeting cards purchased with
4 campaign funds; and

5 (4) campaign signs prepared for an election that has already taken
6 place have no monetary value and may be retained or disposed of at the candidate's
7 discretion.

8 * **Sec. 21.** AS 15.13.116(d) is amended to read:

9 (d) After a general or special election, a candidate for the state legislature who
10 has been elected to the state legislature in that election may, from the amount retained
11 in the public office expense term account reserve under this subsection, transfer to a
12 public office expense term account not more than \$5,000 each calendar year for use
13 only for expenses associated with the candidate's serving as a member of the
14 legislature, except that a senator serving a two-year term may transfer not more than
15 \$10,000 each calendar year. A candidate for the senate may transfer up to \$20,000
16 from unused campaign contributions to a public office expense term account reserve.
17 A candidate for the house of representatives may transfer up to \$10,000 from unused
18 campaign contributions to a public office expense term account reserve. The public
19 office expense term account reserve may only be used to make transfers to the public
20 office expense term account. At the end of the candidate's term of office, a balance in
21 the public office expense term account reserve must be disposed of as provided in (a)
22 of this section but may not be disposed of as provided in (a)(1), (4), or (6) - **(8)** [(9)] of
23 this section. All amounts expended under this subsection shall be annually accounted
24 for under AS 15.13.110(a)(4).

25 * **Sec. 22.** AS 15.13.145(a) is amended to read:

26 (a) Except as provided in (b) and (c) of this section, each of the following may
27 not use money held by the entity to influence the outcome of the election of a
28 candidate to a state [OR MUNICIPAL] office:

29 (1) the state, its agencies, and its corporations;

30 (2) the University of Alaska and its Board of Regents;

31 (3) municipalities, school districts, and regional educational attendance

1 areas, or another political subdivision of the state; and

2 (4) an officer or employee of an entity identified in (1) - (3) of this
3 subsection.

4 * **Sec. 23.** AS 15.13 is amended by adding a new section to read:

5 **Sec. 15.13.374. Advisory opinion.** (a) Any person may request an advisory
6 opinion from the commission concerning this chapter, AS 24.45, AS 24.60.200 -
7 24.60.260, or AS 39.50.

8 (b) A request for an advisory opinion

9 (1) must be in writing or contained in a message submitted by
10 electronic mail;

11 (2) must describe a specific transaction or activity that the requesting
12 person is presently engaged in or intends to undertake in the future;

13 (3) must include a description of all relevant facts, including the
14 identity of the person requesting the advisory opinion; and

15 (4) may not concern a hypothetical situation or the activity of a third
16 party.

17 (c) Within seven days after receiving a request satisfying the requirements of
18 (b) of this section, the executive director of the commission shall recommend a draft
19 advisory opinion for the commission to consider at its next meeting.

20 (d) The approval of a draft advisory opinion requires the affirmative vote of
21 four members of the commission. A draft advisory opinion failing to receive four
22 affirmative votes of the members of the commission is disapproved.

23 (e) A complaint under AS 15.13.380 may not be considered about a person
24 involved in a transaction or activity that

25 (1) was described in an advisory opinion approved under (d) of this
26 section;

27 (2) is indistinguishable from the description of an activity that was
28 approved in an advisory opinion approved under (d) of this section; or

29 (3) was undertaken after the executive director of the commission
30 recommended a draft advisory opinion under (c) of this section and before the
31 commission acted on the draft advisory opinion under (d) of this section, if

1 (A) the draft advisory opinion would have approved the
2 transaction or activity described; and

3 (B) the commission disapproved the draft advisory opinion.

4 (f) Advisory opinion requests and advisory opinions are public records subject
5 to inspection and copying under AS 40.25.

6 * **Sec. 24.** AS 15.13.380 is repealed and reenacted to read:

7 **Sec. 15.13.380. Violations; limitations on actions.** (a) Promptly after the
8 final date for filing statements and reports under this chapter, the commission shall
9 notify all persons who have become delinquent in filing them, including contributors
10 who failed to file a statement in accordance with AS 15.13.040, and shall make
11 available a list of those delinquent filers for public inspection. The commission shall
12 also report to the attorney general the names of all candidates in an election whose
13 campaign treasurers have failed to file the reports required by this chapter.

14 (b) A member of the commission, the commission's executive director, or a
15 person who believes a violation of this chapter or a regulation adopted under this
16 chapter has occurred or is occurring may file an administrative complaint with the
17 commission within one year after the date of the alleged violation. If a member of the
18 commission has filed the complaint, that member may not participate as a
19 commissioner in any proceeding of the commission with respect to the complaint.
20 The commission may consider a complaint on an expedited basis or a regular basis.

21 (c) The complainant or the respondent to the complaint may request in writing
22 that the commission expedite consideration of the complaint. A request for expedited
23 consideration must be accompanied by evidence to support expedited consideration
24 and be served on the opposing party. The commission shall grant or deny the request
25 within two days after receiving it. In deciding whether to expedite consideration, the
26 commission shall consider such factors as whether the alleged violation, if not
27 immediately restrained, could materially affect the outcome of an election or other
28 impending event; whether the alleged violation could cause irreparable harm that
29 penalties could not adequately remedy; and whether there is reasonable cause to
30 believe that a violation has occurred or will occur. Notwithstanding the absence of a
31 request to expedite consideration, the commission may independently expedite

1 consideration of the complaint if the commission finds that the standards for expedited
2 consideration set out in this subsection have been met.

3 (d) If the commission expedites consideration, the commission shall hold a
4 hearing on the complaint within two days after granting expedited consideration. Not
5 later than one day after affording the respondent notice and an opportunity to be heard,
6 the commission shall

7 (1) enter an emergency order requiring the violation to be ceased or to
8 be remedied and assess civil penalties under AS 15.13.390 if the commission finds
9 that the respondent has engaged in or is about to engage in an act or practice that
10 constitutes or will constitute a violation of this chapter or a regulation adopted under
11 this chapter;

12 (2) enter an emergency order dismissing the complaint if the
13 commission finds that the respondent has not or is not about to engage in an act or
14 practice that constitutes or will constitute a violation of this chapter or a regulation
15 adopted under this chapter; or

16 (3) remand the complaint to the executive director of the commission
17 for consideration by the commission on a regular rather than an expedited basis.

18 (e) If the commission accepts the complaint for consideration on a regular
19 rather than an expedited basis, the commission shall notify the respondent within
20 seven days after receiving the complaint and shall investigate the complaint. The
21 respondent may answer the complaint by filing a written response with the
22 commission within 15 days after the commission notifies the respondent of the
23 complaint. The commission may grant the respondent additional time to respond to
24 the complaint only for good cause. The commission shall hold a hearing on the
25 complaint not later than 45 days after the respondent's written response is due. Not
26 later than 10 days after the hearing, the commission shall issue its order. If the
27 commission finds that the respondent has engaged in or is about to engage in an act or
28 practice that constitutes or will constitute a violation of this chapter or a regulation
29 adopted under this chapter, the commission shall enter an order requiring the violation
30 to be ceased or to be remedied and shall assess civil penalties under AS 15.13.390.

31 (f) If the complaint involves a challenge to the constitutionality of a statute or

1 regulation, necessary witnesses that are not subject to the commission's subpoena
 2 authority, or other issues outside the commission's authority, the commission may
 3 request the attorney general to file a complaint in superior court alleging a violation of
 4 this chapter. The commission may request the attorney general to file a complaint in
 5 superior court to remedy the violation of a commission order.

6 (g) A commission order under (d) or (e) of this section may be appealed to the
 7 superior court by either the complainant or respondent within 30 days in accordance
 8 with the Alaska Rules of Appellate Procedure.

9 (h) If the commission does not complete action on an administrative complaint
 10 within 90 days after the complaint was filed, the complainant may file a complaint in
 11 superior court alleging a violation of this chapter by a respondent as described in the
 12 administrative complaint filed with the commission. The complainant shall provide
 13 copies of the complaint filed in the superior court to the commission and the attorney
 14 general. This subsection does not create a private cause of action against the
 15 commission; against the commission's members, officers, or employees; or against the
 16 state.

17 (i) If a person who was a successful candidate or the campaign treasurer or
 18 deputy campaign treasurer of a person who was a successful candidate is convicted of
 19 a violation of this chapter, after the candidate is sworn into office, proceedings shall be
 20 held and appropriate action taken in accordance with

21 (1) art. II, sec. 12, of the state constitution, if the successful candidate
 22 is a member of the state legislature;

23 (2) art. II, sec. 20, of the state constitution, if the successful candidate
 24 is governor or lieutenant governor;

25 (3) the provisions of the call for the constitutional convention, if the
 26 successful candidate is a constitutional convention delegate;

27 (4) art. IV, sec. 10, of the state constitution, if the successful candidate
 28 is a judge.

29 (j) Information developed by the commission under (b) - (e) of this section
 30 shall be considered during a proceeding under (i) of this section.

31 (k) If, after a successful candidate is sworn into office, the successful

1 candidate or the campaign treasurer or deputy campaign treasurer of the person who
 2 was a successful candidate is charged with a violation of this chapter, the case shall be
 3 promptly tried and accorded a preferred position for purposes of argument and
 4 decision so as to ensure a speedy disposition of the matter.

5 * **Sec. 25.** AS 15.13.400(1) is amended to read:

6 (1) "candidate"

7 (A) means an individual who files for election to the state
 8 legislature, for governor, for lieutenant governor, [FOR MUNICIPAL
 9 OFFICE,] for retention in judicial office, or for constitutional convention
 10 delegate, or who campaigns as a write-in candidate for any of these offices;
 11 and

12 (B) when used in a provision of this chapter that limits or
 13 prohibits the donation, solicitation, or acceptance of campaign contributions, or
 14 limits or prohibits an expenditure, includes

15 (i) a candidate's campaign treasurer and a deputy
 16 campaign treasurer;

17 (ii) a member of the candidate's immediate family;

18 (iii) a person acting as agent for the candidate;

19 (iv) the candidate's campaign committee; and

20 (v) a group that makes expenditures or receives
 21 contributions with the authorization or consent, express or implied, or
 22 under the control, direct or indirect, of the candidate;

23 * **Sec. 26.** AS 15.13.400(5) is amended to read:

24 (5) "electioneering communication" means a communication that

25 (A) directly or indirectly identifies a candidate;

26 (B) addresses an issue of national, state, or local political
 27 importance and attributes a position on that issue to the candidate identified;
 28 and

29 (C) occurs within the 30 days preceding a general [OR
 30 MUNICIPAL] election;

31 * **Sec. 27.** AS 15.13.400(15) is repealed and reenacted to read:

(15) "political party" means any group that is a political party under AS 15.60.010 and any subordinate unit of that group if, consistent with the rules or bylaws of the political party, the unit conducts or supports campaign operations in a municipality, neighborhood, house district, or precinct;

* **Sec. 28.** AS 15.56.016(a) is amended to read:

(a) A person commits the crime of campaign misconduct in the third degree if

(1) the person violates a provision of AS 15.13 or a regulation adopted under AS 15.13; or

(2) during the hours the polls are open and after election officials have posted warning notices as required by AS 15.15.170 [OR AT THE REQUIRED DISTANCE IN THE FORM AND MANNER PRESCRIBED BY THE CHIEF MUNICIPAL ELECTIONS OFFICIAL IN A LOCAL ELECTION], the person is within 200 feet of an entrance to a polling place, and

(A) violates AS 15.15.170; or

(B) circulates cards, handbills, or marked ballots, or posts political signs or posters relating to a candidate at an election or election proposition or question.

* **Sec. 29.** AS 24.45.041(b) is amended to read:

(7) the identification of a legislator, legislative employee, or public official to whom the lobbyist is married or who is the **domestic partner** [SPOUSAL EQUIVALENT] of the lobbyist; in this paragraph, "**domestic partner** [SPOUSAL EQUIVALENT]" has the meaning given in AS 39.50.200(a).

* **Sec. 30.** AS 24.45.041 is amended by adding a new subsection to read:

(h) Upon request of the commission, information required under this section shall be submitted electronically.

* **Sec. 31.** AS 24.45.051 is amended to read:

Sec. 24.45.051. Reports. Each lobbyist registered under AS 24.45.041 shall file with the commission a report concerning the lobbyist's activities during each reporting period prescribed in AS 24.45.081, so long as the lobbyist continues to engage in lobbying activities. The report shall be made on a form prescribed by the commission and filed in accordance with AS 24.45.071 and 24.45.081. **Upon request**

1 **of the commission, information required under this section shall be submitted**
 2 **electronically.** The report also must include any changes in the information required
 3 to be supplied under AS 24.45.041(b) and the following information for the reporting
 4 period, as applicable:

5 (1) the source of income, as defined in AS 39.50.200(a) and the
 6 monetary value of all payments, including but not limited to salary, fees, and
 7 reimbursement of expenses, received in consideration for or directly or indirectly in
 8 support of or in connection with influencing legislative or administrative action, and
 9 the full name and complete address of each person from whom amounts or things of
 10 value have been received and the total monetary value received from each person;

11 (2) the aggregate amount of disbursements or expenditures made or
 12 incurred during the period in support of or in connection with influencing legislative
 13 or administrative action by the lobbyist, or on behalf of the lobbyist by the lobbyist's
 14 employer in the following categories:

15 (A) food and beverages;

16 (B) living accommodations;

17 (C) travel;

18 (3) the date and nature of any gift exceeding \$100 in value made to a
 19 public official and the full name and official position of that person;

20 (4) the name and official position of each public official, and the name
 21 of each member of the immediate family of any of these officials, with whom the
 22 lobbyist has engaged in an exchange of money, goods, services, or anything of more
 23 than \$100 in value and the nature and date of each of these exchanges and the
 24 monetary values exchanged;

25 (5) the name and address of any business entity in which the lobbyist
 26 knows or has reason to know that a public official is a proprietor, partner, director,
 27 officer or manager, or has a controlling interest, and whom the lobbyist has engaged in
 28 an exchange of money, goods, services, or anything of value and the nature and date
 29 of each exchange and the monetary value exchanged if the total value of these
 30 exchanges is \$100 or more in a calendar year; and

31 (6) a notice of termination if the lobbyist has ceased the lobbying

1 activity that required registration under this chapter and if this report constitutes the
2 final report of the lobbyist's activities.

3 * **Sec. 32.** AS 24.45.061 is amended by adding a new subsection to read:

4 (c) Upon request of the commission, information required under this section
5 shall be submitted electronically.

6 * **Sec. 33.** AS 24.45.116 is amended to read:

7 **Sec. 24.45.116. Disclosure of contributions.** A civic league or organization
8 shall report the total amount of contributions received for the reporting period and, for
9 any contribution over \$100, the name of the contributor and the amount contributed.
10 The civic league or organization may establish a separate fund to account for receipts
11 and expenditures arising out of activities to influence legislative action. Reports shall
12 be made on a form provided by the commission on February 10, April 25, and July 10
13 of each year, listing contributions received during the period that ended 10 days
14 earlier. **Upon request of the commission, information required under this section**
15 **shall be submitted electronically.**

16 * **Sec. 34.** AS 24.45.171(1) is amended to read:

17 (1) "administrative action" means the proposal, drafting, development,
18 consideration, amendment, adoption, approval, promulgation, issuance, modification,
19 rejection, or postponement by any state agency of any rule **or** [,] regulation, [ORDER,
20 DECISION, DETERMINATION,] or any other quasi-legislative [OR QUASI-
21 JUDICIAL] action or proceeding whether or not governed by AS 44.62
22 (Administrative Procedure Act); **"administrative action" does not include**

23 **(A) a proceeding or an action to determine the rights or**
24 **duties of a person under existing statutes, regulations, or policies;**

25 **(B) the issuance, amendment, or revocation of a permit,**
26 **license, or entitlement for use;**

27 **(C) the enforcement of compliance with existing law or the**
28 **imposition of sanctions for a violation of existing law;**

29 **(D) procurement activity, including the purchase or sale of**
30 **property, goods, or services by the agency or the award of a grant or**
31 **contract;**

1 (E) the issuance of, or ensuring compliance with, a legal
 2 opinion; or

3 (G) activity related to a collective bargaining agreement,
 4 including negotiating or enforcing the agreement;

5 * **Sec. 35.** AS 24.45.171(8) is amended to read:

6 (8) "lobbyist" means

7 (A) a person who, on a full-time or part-time basis, is
 8 employed and receives payments, income or [WHO CONTRACTS FOR]
 9 economic consideration, including reimbursement for reasonable travel and
 10 living expenses, to communicate directly or through the person's agents with
 11 any public official for the purpose of influencing legislative or administrative
 12 action if a substantial or regular portion of the activities for which the person
 13 receives consideration is for the purpose of influencing legislative or
 14 administrative action; in this subparagraph, "substantial or regular" means
 15 more than 16 hours in a 30-day period in direct communication with a
 16 public official or legislative employee; or

17 (B) a person who engages [REPRESENTS ONESELF AS
 18 ENGAGING] in the influencing of legislative or administrative action as a
 19 business, occupation, service, or profession;

20 * **Sec. 36.** AS 24.45.171(12) is amended to read:

21 (12) "public official" or "public officer" means a public official as
 22 defined in AS 39.50.200(a), a member of the legislature, or a legislative director as
 23 defined in AS 24.60.990(a); however, it does not include a judicial officer [OR AN
 24 ELECTED OR APPOINTED MUNICIPAL OFFICER].

25 * **Sec. 37.** AS 24.45.171 is amended by adding a new paragraph to read:

26 (13) "commission" means the Alaska Public Offices Commission.

27 * **Sec. 38.** AS 24.60.070(a) is amended to read:

28 (a) A legislator or legislative employee shall disclose to the committee, which
 29 shall maintain a public record of the disclosure and forward the disclosure to the
 30 respective house for inclusion in the journal, the formation or maintenance of a close
 31 economic association involving a substantial financial matter with

(1) a supervisor who is not a member of the legislature who has responsibility or authority, either directly or indirectly, over the person's employment, including preparing or reviewing performance evaluations, or granting or approving pay raises or promotions; this paragraph does not apply to a public member of the committee;

(2) legislators;

(3) a public official who is required to file a financial disclosure statement under AS 39.50 [AND IS NOT AN APPOINTED MUNICIPAL OFFICER];

(4) a registered lobbyist; or

(5) a legislative employee if the person required to make the disclosure is a legislator.

* **Sec. 39.** AS 24.60.070(c) is amended to read:

(c) When making a disclosure under (a) of this section concerning a relationship with a lobbyist to whom the legislator or legislative employee is married or who is the legislator's or legislative employee's **domestic partner** [SPOUSAL EQUIVALENT], the legislator or legislative employee shall also disclose the name and address of each employer of the lobbyist and the total monetary value received by the lobbyist from the lobbyist's employer. The legislator or legislative employee shall report changes in the employer of the spouse or **domestic partner** [SPOUSAL EQUIVALENT] within 48 hours after the change. In this subsection, "employer of the lobbyist" means the person from whom the lobbyist received amounts or things of value for engaging in lobbying on behalf of the person.

* **Sec. 40.** AS 24.60.080(k) is amended to read:

(k) In this section, "immediate family" or "family member" means

(1) the spouse of the person;

(2) the person's **domestic partner** [SPOUSAL EQUIVALENT];

(3) a child, including a stepchild and an adoptive child, of the person or of the person's **domestic partner** [SPOUSAL EQUIVALENT];

(4) a parent, sibling, grandparent, aunt, or uncle of the person;

(5) a parent, sibling, grandparent, aunt, or uncle of the person's spouse

1 or the person's **domestic partner** [SPOUSAL EQUIVALENT]; and

2 (6) a stepparent, stepsister, stepbrother, step-grandparent, step-aunt, or
 3 step-uncle of the person, the person's spouse, or the person's **domestic partner**
 4 [SPOUSAL EQUIVALENT].

5 * **Sec. 41.** AS 24.60.090(a) is amended to read:

6 (a) An individual who is related to a member of the legislature may not be
 7 employed for compensation (1) during the legislative session in the house in which the
 8 legislator is a member, (2) by an agency of the legislature established under AS 24.20,
 9 (3) in either house during the interim between sessions, or (4), whether for
 10 compensation or not, by the committee. An individual who is related to a legislative
 11 employee may not be employed in a position over which the employee has supervisory
 12 authority. In this subsection, "an individual who is related to" means a member of the
 13 legislator's or legislative employee's immediate family or a person who is a legislator's
 14 or legislative employee's **domestic partner** [SPOUSAL EQUIVALENT] living
 15 together in a conjugal relationship not a legal marriage with the legislator or legislative
 16 employee, and "interim between sessions" means the period beginning on the eighth
 17 day after the legislature adjourns from a regular session, and ending eight days before
 18 the date that the legislature shall convene under AS 24.05.090.

19 * **Sec. 42.** AS 24.60.200 is amended to read:

20 **Sec. 24.60.200. Financial disclosure by legislators, public members of the**
 21 **committee, and legislative directors.** A legislator, a public member of the
 22 committee, and a legislative director shall file a disclosure statement, under oath and
 23 on penalty of perjury, with the Alaska Public Offices Commission giving the
 24 following information about the income received by the discloser, the discloser's
 25 spouse or **domestic partner** [SPOUSAL EQUIVALENT], the discloser's dependent
 26 children, and the discloser's nondependent children who are living with the discloser:

27 (1) the information that a public official is required to report under
 28 AS 39.50.030, other than information about gifts;

29 (2) as to income in excess of **\$10,000** [\$1,000] received as
 30 compensation for personal services, the name and address of the source of the income,
 31 and a statement describing the nature of the services performed; if the source of

1 income is known or reasonably should be known to have a substantial interest in
 2 legislative, administrative, or political action and the recipient of the income is a
 3 legislator or a legislative director, the amount of income received from the source shall
 4 be disclosed;

5 (3) as to each loan or loan guarantee over \$1,000 from a source with a
 6 substantial interest in legislative, administrative, or political action, the name and
 7 address of the person making the loan or guarantee, the amount of the loan, the terms
 8 and conditions under which the loan or guarantee was given, the amount outstanding
 9 at the time of filing, and whether or not a written loan agreement exists.

10 * **Sec. 43.** AS 24.60.200 is amended by adding a new subsection to read:

11 (b) Upon request of the Alaska Public Offices Commission, the information
 12 required under AS 24.60.200 - 24.60.260 shall be submitted electronically.

13 * **Sec. 44.** AS 24.60.990(a)(5) is amended to read:

14 (5) "immediate family" means

15 (A) the spouse or domestic partner [SPOUSAL
 16 EQUIVALENT] of the person; or

17 (B) a parent, child, including a stepchild and an adoptive child,
 18 and sibling of a person if the parent, child, or sibling resides with the person, is
 19 financially dependent on the person, or shares a substantial financial interest
 20 with the person;

21 * **Sec. 45.** AS 24.60.990(a) is amended by adding a new paragraph to read:

22 (17) " domestic partner" or "spousal equivalent" means a person who is
 23 cohabiting with another person in a relationship that is like a marriage but that is not a
 24 legal marriage.

25 * **Sec. 46.** AS 39.50.020 is amended to read:

26 **Sec. 39.50.020. Report of financial and business interests.** (a) A public
 27 official other than the governor or the lieutenant governor shall file a statement giving
 28 income sources and business interests, under oath and on penalty of perjury, within 30
 29 days after taking office as a public official. Candidates for state elective office other
 30 than a candidate who is subject to AS 24.60 shall file the statement with the director of
 31 elections at the time of filing a declaration of candidacy or a nominating petition or

1 becoming a candidate by any other means. [CANDIDATES FOR ELECTIVE
2 MUNICIPAL OFFICE SHALL FILE THE STATEMENT AT THE TIME OF
3 FILING A NOMINATING PETITION, DECLARATION OF CANDIDACY, OR
4 OTHER REQUIRED FILING FOR THE ELECTIVE MUNICIPAL OFFICE.]

5 Refusal or failure to file within the time prescribed shall require that the candidate's
6 filing fees, if any, and filing for office be refused or that a previously accepted filing
7 fee be returned and the candidate's name removed from the filing records. A
8 statement shall also be filed by public officials no later than March 15 in each
9 following year. Persons who are members of boards or commissions not named in
10 AS 39.50.200(b) are not required to file financial statements.

11 (b) A public official [OTHER THAN AN ELECTED OR APPOINTED
12 MUNICIPAL OFFICER] shall file the statement with the Alaska Public Offices
13 Commission. Candidates for the office of governor and lieutenant governor and, if the
14 candidate is not subject to AS 24.60, the legislature shall file the statement under
15 AS 15.25.030 or 15.25.180. [MUNICIPAL OFFICERS, AND CANDIDATES FOR
16 ELECTIVE MUNICIPAL OFFICE, SHALL FILE WITH THE MUNICIPAL CLERK
17 OR OTHER MUNICIPAL OFFICIAL DESIGNATED TO RECEIVE THEIR
18 FILING FOR OFFICE.] All statements required to be filed under this chapter are
19 public records.

20 * **Sec. 47.** AS 39.50.030(b) is amended to read:

21 (b) **Each** [EXCEPT AS PROVIDED IN (g) OF THIS SECTION, EACH]
22 statement filed by a public official or candidate under this chapter must include the
23 following:

24 (1) the source of all income over **\$10,000** [\$1,000] during the
25 preceding calendar year, including taxable and nontaxable capital gains, received by
26 the person, the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or
27 the person's **dependent** child, except that a source of income that is a gift must be
28 included if the value of the gift exceeds **\$500** [\$250];

29 (2) the identity, by name and address, of each business in which the
30 person, the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or the
31 person's **dependent** child **has an interest or** was a stockholder, owner, officer,

1 director, partner, proprietor, or employee during the preceding calendar year, **except**
 2 **that an interest of less than \$10,000 in the stock of a publicly traded corporation**
 3 **need not be included;**

4 (3) [THE IDENTITY AND NATURE OF EACH INTEREST
 5 OWNED IN ANY BUSINESS DURING THE PRECEDING CALENDAR YEAR
 6 BY THE PERSON, THE PERSON'S SPOUSE OR SPOUSAL EQUIVALENT, OR
 7 THE PERSON'S CHILD;

8 (4)] the identity and nature of each interest in real property, including
 9 an option to buy, owned at any time during the preceding calendar year by the person,
 10 the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or the person's
 11 **dependent** child;

12 **(4)** [(5)] the identity of each trust or other fiduciary relation in which
 13 the person, the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or
 14 the person's **dependent** child held a beneficial interest exceeding **\$10,000** [\$1,000]
 15 during the preceding calendar year, a description and identification of the property
 16 contained in each trust or relation, and the nature and extent of the beneficial interest
 17 in it;

18 **(5)** [(6)] any loan or loan guarantee of more than **\$10,000** [\$1,000]
 19 made to the person, the person's spouse or **domestic partner** [SPOUSAL
 20 EQUIVALENT], or the person's **dependent** child, and the identity of the maker of the
 21 loan or loan guarantor and the identity of each creditor to whom the person, the
 22 person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or the person's
 23 **dependent** child owed more than **\$10,000** [\$1,000]; this paragraph requires disclosure
 24 of a loan, loan guarantee, or indebtedness only if the loan or guarantee was made, or
 25 the indebtedness incurred, during the preceding calendar year, or if the amount still
 26 owing on the loan, loan guarantee, or indebtedness was more than **\$10,000** [\$1,000] at
 27 any time during the preceding calendar year;

28 **(6)** [(7)] a list of all contracts and offers to contract with the state or an
 29 instrumentality of the state during the preceding calendar year held, bid, or offered by
 30 the person, the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or
 31 the person's **dependent** child, a partnership or professional corporation of which the

person is a member, or a corporation in which the person or the person's spouse, **domestic partner** [SPOUSAL EQUIVALENT], or **dependent** children, or a combination of them, hold a controlling interest; and

(7) [(8)] a list of all mineral, timber, oil, or any other natural resource lease held, or lease offer made, during the preceding calendar year by the person, the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT], or the person's **dependent** child, a partnership or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse or **domestic partner** [SPOUSAL EQUIVALENT] or **dependent** children, or a combination of them, holds a controlling interest.

* **Sec. 48.** AS 39.50.030(d) is amended to read:

(d) In addition to the requirements of (b) of this section, each statement filed under this chapter by a public official in the executive branch of state government other than the chair or a member of a state commission or board must include a disclosure of the formation or maintenance of a close economic association involving a substantial financial matter as required by this subsection. The disclosure must be sufficiently detailed so that a reader can ascertain the nature of the association. A public official shall disclose a close economic association with

(1) a legislator;

(2) a public official [WHO IS NOT AN ELECTED OR APPOINTED MUNICIPAL OFFICER];

(3) a lobbyist; or

(4) a public officer if the person required to make the disclosure is the governor or the lieutenant governor.

* **Sec. 49.** AS 39.50.030(f) is amended to read:

(f) When making a disclosure under (d) of this section concerning a relationship with a lobbyist to whom the public official is married or who is the public official's **domestic partner** [SPOUSAL EQUIVALENT], the public official shall also disclose the name and address of each employer of the lobbyist and the total monetary value received from the lobbyist's employer. The public official shall report changes in the employers of the spouse or **domestic partner** [SPOUSAL EQUIVALENT]

1 within 48 hours after the change. In this subsection, "employer of the lobbyist" means
 2 the person from whom the lobbyist received money, or goods or services having a
 3 monetary value, for engaging in lobbying on behalf of the person.

4 * **Sec. 50.** AS 39.50.050(a) is amended to read:

5 (a) The Alaska Public Offices Commission created under AS 15.13.020(a)
 6 shall administer the provisions of this chapter. The commission shall prepare and
 7 keep available for distribution [,] standardized forms on which the reports required by
 8 this chapter shall be filed. **Upon request of the commission, the information**
 9 **required under this chapter shall be submitted electronically.**

10 * **Sec. 51.** AS 39.50.090(a) is amended to read:

11 (a) A public official may not use the official position or office for the primary
 12 purpose of obtaining personal financial gain or financial gain for a spouse, **dependent**
 13 child, mother, father, or business with which the official is associated or in which the
 14 official owns stock. A public official [OTHER THAN AN ELECTED OR
 15 APPOINTED MUNICIPAL OFFICIAL] may not use the official's position or office
 16 for the primary purpose of obtaining financial gain for the official's **domestic partner**
 17 [SPOUSAL EQUIVALENT].

18 * **Sec. 52.** AS 39.50.090(b) is amended to read:

19 (b) A person may not offer or pay to a public official, and a public official
 20 may not solicit or receive money for legislative advice or assistance, or for advice or
 21 assistance given in the course of the official's public employment or relating to the
 22 public employment. However, this prohibition does not apply to a **chair**
 23 [CHAIRMAN] or member of a state commission or board [OR MUNICIPAL
 24 OFFICER] if the subject matter of the legislative advice or assistance is not related
 25 directly to the function of the commission **or** [,] board [, OR MUNICIPAL BODY
 26 SERVED BY THE MUNICIPAL OFFICER]; this exception from the general
 27 prohibition does not apply to one whose service on a state commission or board
 28 constitutes the person as a full-time state employee under **this title** [AS 39].

29 * **Sec. 53.** AS 39.50.090(c) is amended to read:

30 (c) A public official may not represent a client before a state agency for a fee.
 31 However, this prohibition does not apply to a **chair** [MUNICIPAL OFFICER, OR

CHAIRMAN] or member of a state commission or board except with regard to representation before that commission or board; this exception from the general prohibition does not apply to one whose service on the commission or board constitutes the person as a full-time state employee under this title.

* **Sec. 54.** AS 39.50.200(a)(9) is amended to read:

(9) "source of income" means the entity for which service is performed or that [WHICH] is otherwise the origin of payment; if the person whose income is being reported is employed by another, the employer is the source of income; but if the person is self-employed by means of a sole proprietorship, partnership, professional corporation, or a corporation in which the person, the person's spouse or domestic partner [SPOUSAL EQUIVALENT], or the person's dependent children, or a combination of them, hold a controlling interest, the "source" is the client or customer of the proprietorship, partnership, or corporation, but, if the entity that [WHICH] is the origin of payment is not the same as the client or customer for whom the service is performed, both are considered the source;

* **Sec. 55.** AS 39.50.200(a) is amended by adding a new paragraph to read:

(11) "domestic partner" means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage.

* **Sec. 56.** AS 15.13.010(a)(2), 15.13.010(d), 15.13.020(k), 15.13.070(d)(4)(C), 15.13.072(d), 15.13.072(g); AS 24.60.031, 24.60.990(a)(15); AS 39.50.030(g), 39.50.030(h)(1), 39.50.090(d), 39.50.145, 39.50.200(a)(7), 39.50.200(a)(8)(J), and 39.50.200(a)(10) are repealed.

* **Sec. 57.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. Notwithstanding sec. 59 of this Act, the Alaska Public Offices Commission may proceed to adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory change.

* **Sec. 58.** Section 57 of this Act takes effect immediately under AS 01.10.070(c).

* **Sec. 59.** Except as provided in sec. 58 of this Act, this Act takes effect July 1, 2003.